


Memorandum



Date: December 4, 2012

To: Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Waiving Formal Bid Procedures

Agenda Item No. 8(F)(9)

Recommendation

It is recommended that the Board of County Commissioners (Board) waive competitive bidding procedures for the purchase of goods and services pursuant to Section 2-8.1 of the County Code and Section 5.03(D) of the Home Rule Charter and approve the attached 1) non-competitive contract modification, and 2) ratification of a modification to an emergency contract. These items are described briefly below and in more detail in the accompanying attachments.

Item 1 – Levi, Ray and Shoup - Waives formal bid procedures to modify a bid waiver contract for an additional 65 months and \$280,000 to continue purchasing Levi, Ray & Shoup software licenses for the Information Technology Department.

Item 2 – Uniforms and Accessories for Miami-Dade Transit - Waives formal bid procedures to ratify an emergency contract award modification that allowed the Miami-Dade Transit Department to purchase uniforms and accessory items. The amount of the contract modification is \$263,000 and the additional time period is two months.

This contract award and modifications package is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). These contract modification recommendations may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item. The contracts in this package are scheduled for the October 2012 CITT meeting.

Scope

The impact of the items in the attached Bid Waiver Package are countywide in nature.

Fiscal Impact/Funding Source

The allocation and funding source for the departments are listed in the attached Bid Waiver Package.

The contract amounts and departmental allocations represent the maximum spending authority based on past utilization. This action does not guarantee that the total contract amount/value will be expended by the department. Funding will be expended only if the department's budget can support the expenditures approved in its annual budget adopted by the Board.

Track Record/Monitor

There are no known performance/compliance issues with the vendors recommended for award in the attached Bid Waiver Package. The departments' contract manager is reflected in the agenda item.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to extend the contracts for purchase of goods and services in accordance with the terms and conditions of the contracts listed in the attached Bid Waiver Package.

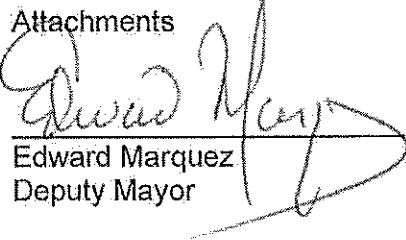
Due Diligence

Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Contractor responsibility, including verifying corporate status and review of performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to Contractor responsibility. This information is being provided pursuant to Resolution R-187-12.

Background

Additional background information for the non-competitive contract modification and ratification of modification to emergency contract are attached.

Attachments



Edward Marquez
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: December 4, 2012

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(F)(9)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's , 3/5's , unanimous) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 8(F)(9)

Veto _____

12-4-12

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

WHEREAS, the County Mayor recommends to this Board to waive formal bid procedures for the purchase of goods and services which cannot be purchased under normal bid procedures,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board waives formal bid procedures for the purchase of goods and services, pursuant to Section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code by a two-thirds (2/3s) vote of the Board members present, authorizes the County Mayor or County Mayor's designee to award such contracts, with authority to exercise options-to-renew established thereunder, and authorizes the use of Charter County Transportation Surtax Funds.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

| | |
|-------------------------------------|----------------------|
| Audrey M. Edmonson, Vice Chairwoman | |
| Bruno A. Barreiro | Lynda Bell |
| Esteban L. Bovo, Jr. | Jose "Pepe" Diaz |
| Sally A. Heyman | Barbara J. Jordan |
| Jean Monestime | Dennis C. Moss |
| Rebeca Sosa | Sen. Javier D. Souto |
| Xavier L. Suarez | Juan C. Zapata |

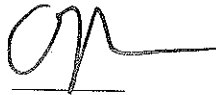
The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Oren Rosenthal

Item 1 – Contract Modification

| | |
|------------------------------------|---|
| Contract No.: BW7220-4/12-4 | Title: Levi Ray & Shoup Software Maintenance & Support |
|------------------------------------|---|

| | |
|---|---|
| Type of Change: | |
| <input checked="" type="checkbox"/> Additional Time | <input type="checkbox"/> Authorization to use Charter County Transportation Surfax Funds as a Component of MDT Operating Funds. |
| <input checked="" type="checkbox"/> Additional Spending Authority | |

Contract Description and Reason for Change:

It is recommended that the Board approve this contract modification for time and spending authority to provide the Miami-Dade Information Technology Department (ITD) with the ability to purchase ongoing software maintenance and support services for the existing Levi, Ray and Shoup (LRS) Virtual Private Server (VPS®), Transmission Control Protocol/Internet Protocol (TCPIP) and Dynamic Right-Sizing (DRS) software products. The LRS software products are used by ITD to streamline printing in the mainframe computer environment by efficiently routing data to the most appropriate printer or output device. Additionally, the LRS software products enhance the mainframe printing system by providing a management tool, monitoring print jobs, and facilitating correction of printing problems. All of the County's mainframe applications rely on the LRS software to print jobs at remote locations throughout the County. The LRS software products and associated maintenance support services are proprietary to LRS. No other vendor is capable of providing the required software or support services that are needed to assist in daily ITD operations. The modification will provide maintenance support services through April 30, 2018. The requested allocation is lower than the current term and was negotiated to a fixed price schedule.

| | | |
|---------------------------------|--------------------------------------|-----------------------------------|
| Current Term Length: | | Additional Time Requested: |
| 60 months | | 65 months |
| Current Term Start Date: | Current Term Expiration Date: | Proposed Expiration Date: |
| November 26, 2007 | November 25, 2012 | April 30, 2018 |

| Departments, Allocations, and Additional Funds Requested | | | | | |
|--|---------------------|-----------------------|---------------------|-----------------------|------------------|
| Department | Existing Allocation | Additional Allocation | Modified Allocation | Funding Source | Contract Manager |
| Information Technology | \$306,000 | \$280,000 | \$586,000 | Internal Service Fund | Mirta Cardoso |
| TOTAL | \$306,000 | \$280,000 | \$586,000 | | |

| | | | |
|---|---|--|---|
| Contract Measures: | <input type="checkbox"/> Small Business Enterprise | <input type="checkbox"/> Set-Aside | <input type="checkbox"/> Bid Preference |
| | <input type="checkbox"/> Selection Factor | <input checked="" type="checkbox"/> Other <u>No Measure – Bid Waiver</u> | |
| Local Preference Ordinance: | <input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply | | |
| Living Wage Ordinance: | <input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply | | |
| User Access Program: | <input checked="" type="checkbox"/> Applies where permitted by funding source <input type="checkbox"/> Does not apply | | |
| Procurement Contracting Officer: | Margaret Brown | | |

| Vendor(s) | Local Address | Principal |
|-------------------------|-----------------------------------|-----------------|
| Levi, Ray & Shoup, Inc. | 2401 West Monroe, Springfield, IL | Richard H. Levy |

Item 2

| | |
|-----------------------------------|---|
| Contract No.: E9287-1/11-1 | Title: Uniforms and Accessories for Miami-Dade Transit |
|-----------------------------------|---|

Type of Non-competitive Action: Bid Waiver Sole Source Emergency Award
 Modification of Emergency Award

Justification:

MDT provides its employees with uniforms as part of its collective bargaining agreement (CBA) with the Transport Workers Union and to ensure a professional appearance to the public. RDH Quest, Inc., the previous MDT uniform contract vendor was defaulted for repeatedly failing to fulfill MDT's uniform orders. A six-month emergency contract, with a six-month option-to-renew, and a cumulative value of \$224,000, was established in April 2010. The contract allowed MDT to continue purchasing uniforms and accessories, as required by the CBA, and allowed time for a replacement solicitation to be conducted. The emergency contract was ratified by the Board via Resolution R-811-10 on July 20, 2010.

RDH Quest's failure to provide uniforms during their tenure created a backlog of uniforms requests that was substantially higher than originally projected, which led to usage of the emergency contract award being significantly higher than the original allocation of \$224,000. As such, it was necessary to further modify this contract for \$263,000 to address the high uniform demand and backlog, as well as an additional two months to ensure supply continuity until the successor contract (9436-2/17) was established in May 2011 (R-330-11). This item requests retroactive approval of this modification.

| | | | |
|---|----------------|--|---------------|
| Original Contract Term Length: 12 months | | Modified Term Length: 14 months | |
| April 26, 2010 | April 25, 2011 | April 26, 2010 | June 30, 2011 |

| Departments, Allocations, and Additional Funds Requested | | | | | |
|--|---------------------|-----------------------|---------------------|----------------|------------------|
| Department | Existing Allocation | Additional Allocation | Modified Allocation | Funding Source | Contract Manager |
| Transit | \$224,000 | \$263,000 | \$487,000 | MDT Operating | Daryl Hurston |
| TOTAL | \$224,000 | \$263,000 | \$487,000 | | |

Contract Measures: Small Business Enterprise Set-Aside Bid Preference
 Selection Factor Other No Measure – Emergency Purchase

Local Preference Ordinance: Applies Does not apply

Living Wage Ordinance: Applies Does not apply

User Access Program: Applies where permitted by funding source Does not apply

Procurement Contracting Officer: Abelin Rodriguez

| Vendor(s) | Local Address | Principal |
|--|---|---------------------|
| Monica Manufacturing, Inc. (LDB, SBD, DBE) | 2605 West 8 th Avenue, Hialeah, FL | Elizabeth Baltodano |



Memorandum



To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *C. Scurr*

Date: November 15, 2012

Re: **CITT AGENDA ITEM 5F:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE THE WAIVER OF FORMAL BID PROCEDURES, IN THE AMOUNT OF \$263,000.00, FOR THE PURCHASE OF GOODS AND SERVICES, PROCESSED BY THE INTERNAL SERVICES DEPARTMENT (ISD) ON BEHALF OF MIAMI-DADE TRANSIT (MDT), AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO AWARD SAME WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (MDT/ISD-BCC Legislative File No. 121959)

On November 15, 2012, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-099. The vote was as follows:

Hon. Linda Zilber, Chairperson – Aye
Paul J. Schwiep, Esq., 1st Vice Chairperson – Absent
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent

Joseph Curbelo – Aye
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Miguel Gonzalez, Assistant County Attorney